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**From:** Lesser, Ben  
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**Subject:** Language for possible press use

There may be a tsunami of news stories spurred by this week's Animas River spill story quoting Earthjustice as saying that 108b would have helped.

## Deliberative Process/Ex. 5

With regards,

Ben

Ben Lesser

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The severity of consequences posed by hardrock mining facilities is evident in the enormous costs associated with past and projected future actions necessary to protect public health and the environment after releases from hardrock mining facilities occur. In other words, the documented expenditures reflect efforts to correct the realized risks from hardrock mining facilities. These facilities release large quantities of hazardous substances, often over hundreds of square miles and, in some instances, have resulted in groundwater and surface water contamination that requires long-term management and treatment. Remediation of these hardrock mining facilities has therefore been historically costly. EPA's past experience with these sites leads it to conclude that hardrock mining facilities are likely to continue to present a substantial financial burden that could be met by financial responsibility requirements.